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Hon. Kiyo A. Matsumoto
U.S. District Judge, E.D.N.Y.
U.S. Courthouse
225 Cadman Plaza East
Brooklyn, NY 11228

July 14, 2011

Re: U.S. v. Durso, 11 CR 30 (KAM)
Request for a change in bail conditions.

Dear Judge Matsumoto:

My client, Anthony Durso, is currently at liberty and out on bail pursuant to a \$500,000.00 PRB signed by himself, his father, his mother, and his step father and secured by his father's house which I am told is worth over \$400,000.00. He is permitted to travel in the Eastern and Southern Districts. He has a 7:00pm curfew.

I am requesting that Mr. Durso's curfew be lifted for the following reasons. The circumstances of Mr. Durso's case have changed substantially. On Tuesday, July 12, 2011, he entered a plea of guilty under Count 47 of the indictment to violating 18 USC 894. Pursuant to his plea agreement and if the Government's requirements for "global" points are met, Mr. Durso will come before Your Honor at sentence with a agreed upon guideline calculation of 27-33 months. At that time I will argue for and the Government will argue against a lesser level of calculation based on issues that will be brought before the Court at that time. Mr. Durso has accepted responsibility and will not be going to trial. Under his plea agreement he is facing much less time than he would have had he gone to trial and lost.

Mt. Durso is a sanitation man and has been for almost 7 years. He has no prior criminal convictions or arrests. He has learned a lot since his arrest and understands the importance of not associating with criminals and to take affirmative action in not placing himself in negative situations. He currently works a 8am to 4pm shift at the Sanitation Department (NYC) in Brooklyn. He goes home and eats dinner with his mother and step father and then has to stay home every night with them. He is a 27 year old single man and would like to have some leisure time away from his parents and his home. He would like to leave his home after work and

perhaps go on a date or just go out of the house. He is willing to abide by any non association list the Government might care to put together and not to go to any locations the Government might identify. Certainly he agrees not to commit any crimes and knows that would cause him to be remanded and seriously affect his sentence in a negative way.

The lifting of the curfew would also enable him to be eligible for overtime shifts and night shifts at his job which sometimes arise spontaneously and pay more money.

He has adjusted well to supervision. I met U.S. PTS Officer Louis F. Calvi on Tuesday. He has been supervising Mr. Durso since he has been out on bail and told me that "there is no reason for Mr. Durso to have a curfew" and supports my request to have it lifted. P.O. Calvi can be reached at 718-613-2690. I have no objection to the Court having an ex parte conversation with Officer Calvi and would urge Your Honor to do so.

As of my last conversation with A.U.S.A. Geddes it is my understanding that the Government will oppose any change in bail conditions.

Respectfully yours,

A handwritten signature in cursive script that reads "Mathew J. Mari".

Mathew J. Mari

cc: By email to A.U.S.A. Elizabeth Geddes and A.U.S.A. Allon Lifshitz and P.O. Calvi.